

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
APRIL 18, 2006  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:34 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Jose Alexandro Lozano, Melina Castro, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Absent: Ann Morgan Lilly. Late arrival: None. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

- 1. Armenian Genocide Remembrance Day**
- 2. National Medical Laboratory Professionals Week**
- 3. 2006 Texas Gala Celebration Weekend**  
Representative Castro commented.
- 4. Community Development Week in El Paso**  
Mayor Cook thanked the Foreign Military students for attending the City Council meeting.  
  
Representative Steve Ortega thanked the Steering Committee.  
  
Natalie Prise, Community and Human Development Director, commented.
- 5. Eastwood High School Week**

**ANNOUNCEMENT FROM THE OFFICE OF THE GOVERNOR PROCLAIMING**

**BIKE & WALK TO SCHOOL DAY**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

1. Mr. Jesus Luna commented on the City of El Paso's contract for legal representation for El Paso police officers.

2. Ms. Carmen Zamora commented on economic development for the City of El Paso – Downtown Plan.
3. Mr. Jorge Artalejo commented on drug distribution in the Plaza.
4. Mr. Richard Schecter commented on the lack of public parking at City Hall.

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 Motion made by Representative Presi Ortega, Jr., seconded by Representative Lozano, and unanimously carried to **RECESS** the City Council meeting at 9:52 a.m. for the Mass Transit Department Board Meeting.

NOT PRESENT FOR THE VOTE: Representatives Byrd and Castro  
 ABSENT: Representative Lilly

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 Motion made by Mayor Pro Tempore O'Rourke., seconded by Representative Steve Ortega, and unanimously carried to **RECONVENE** the City Council meeting from the Mass Transit Department Board Meeting at 10:02 a.m.

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 Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Holguin, Steve Ortega, and O'Rourke  
 ABSENT: Representative Lilly

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 \*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for Regular City Council Meeting of April 11, 2006, and Special City Council Meeting Minutes of March 10, 2006, March 29, 2006, and April 10, 2006.

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 \*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Ann Morgan Lilly from the Regular Council Meeting of April 18, 2006.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), W2001 TBT Real Estate Limited Partnership ("Assignor"), and Titan MAC Fund I, LP ("Assignee") for the property described as Lot 1, Block 11, Butterfield Trail Industrial Park, Unit Two, Foreign Trade Zone No. 68, City of El Paso, El Paso County, Texas, municipally known and numbered as #25 Butterfield Trail, El Paso, Texas.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), W2001 TBT Real Estate Limited Partnership ("Assignor"), and Titan MAC Fund I, LP ("Assignee") for the property described as a portion of Lot 5, Block 8, Butterfield Trail Industrial Park, Unit One, Replat "A" and all of Lot 6, Block 8, Butterfield Trail Industrial Park, Unit One, Replat "B", City of El Paso, El Paso County, Texas, municipally known and numbered as #11 Leigh Fisher Blvd., El Paso, Texas.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), W2001 TBT Real Estate Limited Partnership ("Assignor"), and Titan MAC Fund I, LP ("Assignee") for the property described as a portion of Lot 5, Block 1, Butterfield Trail Industrial Park, Unit One, Replat "A", City of El Paso, El Paso County, Texas, municipally known and numbered as #7 Leigh Fisher Blvd., El Paso, Texas.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), W2001 TBT Real Estate Limited Partnership ("Assignor"), and Titan MAC Fund I, LP ("Assignee") for the property described as portions of Lots 4, 5, 6 and 7, Block 2, Butterfield Trail Industrial Park, Unit One, Replat "A", City of El Paso, El Paso County, Texas, municipally known and numbered as #15 Zane Grey, El Paso, Texas.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Council hereby establishes a revised offer of JUST COMPENSATION and approves such revised offer of Just Compensation for the following property which is proposed to be acquired for the Dorbandt Circle Street and Drainage Improvement Project, under the Thirtieth Year (2004-2005) Community Development Program:

Parcel 8:       A portion of Tract 17F, Block 36, Ysleta Grant, in the City of El Paso, El Paso County, Texas, containing 15,000.00 square feet more or less.  
Value: \$25,000.00

And that the City Manager be authorized to sign contracts of sale, right-of-entry agreements with the respective owners, and any other related documents necessary to effectuate the acquisition of these described properties.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign and forward letters to U. S. Senators John Cornyn and Kay Bailey Hutchinson, U. S. Congressmen Silvestre Reyes and Henry Bonilla, as well as any other appropriate members of congress as the case may be, requesting support for restoration of full funding of the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs in an amount consistent with FY 2001 funding levels, in the U. S. Department of Housing and Urban Development's FY 2007 budget request.

Mayor Cook commented.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, by resolution dated September 3, 1996, the City of El Paso approved of the creation of the El Paso Downtown Management District ("District");

**WHEREAS**, pursuant to Chapter 375 of the Texas Local Government Code ("Code") the District was legally created by order of the Texas Natural Resources Conservation Commission on March 10, 1997;

**WHEREAS**, pursuant to Section 375.064(a) of the Code, the Board of Directors of the District ("Board") convened a meeting open to the public on March 23, 2006 for the purpose of recommending a slate of persons to serve as members of the Board; and

**WHEREAS**, pursuant to Section 375.064(b) of the Code, the City Council is required to approve or disapprove recommendations submitted by the Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for four year terms:

Janette Coon  
Janet Eschenbrenner  
Jack Potter  
Ray Owen

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, the City Council of the City of El Paso finds that it would be in the best interest of the public to authorize offset angle parking along the Sixth Avenue, between South Oregon Street and South Stanton Street thereof; and

**WHEREAS**, the City Council of the City of El Paso further finds, in accordance with Chapter 12.44 of the El Paso City Code, that said right-of-way is not upon a Federal-aid or State Highway; that passing traffic will not be required to drive upon the left side of the street or upon any streetcar tracks; that said parking will not be within the Central Traffic District nor the Five Points Traffic District; that said street does not carry more than 4,000 vehicles per average day, nor more than 500 vehicles per hour for any consecutive three hours of an average day; and that adequate provision has been made for the free and unobstructed passage of pedestrian traffic thereof;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the City Engineer is hereby authorized and directed to designate fifty-nine (59) offset angle parking spaces on Sixth Avenue, between South Oregon Street and South Stanton Street. Said right-of-way shall be used for public parking and cannot be used to satisfy the off-street parking required by City Ordinance for the adjacent property.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to submit a grant application for an Auto Theft Prevention Authority Grant FY 2007 from the Texas Auto Theft Prevention Authority in the amount of \$950,003 for the purpose of continuing El Paso Police Department efforts to reduce auto theft in the City and County of El Paso. The City Manager or designee is also authorized to sign any related paperwork, including all understandings and assurances contained therein; to apply for, accept, reject, alter or terminate the grant, authorize budget transfers; submit any necessary revisions to the operational plan; execute on behalf of the City of El Paso any grant amendments or corrections to the initial Grant Agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required, or which decrease the amount of matching funds; to request and accept an extension of the award ending date for the grant; and that grant officials be as designated in the agreement. An in-kind match exists in the amount of \$1,012,069. The total amount of grant is \$1,962,072.

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\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Mark C. Walker to the Art Museum Advisory Board by Representative Ann Morgan Lilly, District 1.  
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\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Alan Simpson to the Airport Board by Representative Jose Alexandro Lozano, District 3.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Fran A. Mosher to the Civil Service Commission by Mayor John Cook.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Lester L. Parker to the Fair Housing Task Force by Representative Ann Morgan Lilly, District 1.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Josie Karam to the City-County Animal Shelter Advisory Committee by Mayor John Cook.  
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\*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**:  
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- A. Stewart Title in the amount of \$9,497.90 overpayment of 2005 taxes.  
(PID #B202-999-0820-1100).
- B. Irwin Mortgage in the amount of \$3,494.69 overpayment of 2004 & 2005 taxes.  
(PID #C231-999-0310-5300).
- C. Delmer Davis the amount of \$2,500.32 overpayment of 2005 taxes.  
(PID #C340-999-0970-1300).
- D. Chris Loera in the amount of \$2,776.85 overpayment of 2005 taxes.  
(PID #C733-999-0040-0700).
- E. Wells Fargo Financial for overpayment of 2005 taxes.  
(PID #E078-999-0NN0-0100).
- F. First American Real Estate Tax Service in the amount of \$3,275.84 overpayment of 2005 taxes. (PID #F609-999-0060-2700).
- G. Wells Fargo Home Mortgage in the amount of \$6,832.42 overpayment of 2005 taxes. (PID #F609-999-0070-1100).
- H. Tiffany and Aaron Price in the amount of \$10,174.70 overpayment of 2005 taxes. (PID #F609-999-0090-0400).
- I. Chase Home Finance, LLC in the amount of \$2,766.37 overpayment of 2004 taxes. (PID #H788-002-0110-0070).
- J. Wells Fargo Tax Services, in the amount of \$4,132.40 overpayment of 2005 taxes. (PID #N425-999-0320-8200).
- K. World Savings Escrow Administration in the amount of \$4,291.01 overpayment of 2005 taxes. (PID #K216-999-0350-6900).
- L. Wells Fargo Real Estate Tax Service in the amount of \$3,826.91 overpayment of 2005 taxes. (PID #P586-999-0100-3000).
- M. Sierra Title Company in the amount of \$3,529.29 overpayment of 2005 taxes.  
(PID #P654-999-1310-1500).

- N. Manuel & Dora Luz Regalado in the amount of \$3,510.82 overpayment of 2004 taxes. (PID #R576-999-0020-0300).
- O. First American in the amount of \$3,892.25 overpayment of 2004 & 2005 taxes. (PID #R576-999-0060-0200)
- P. Land America in the amount of \$3,367.61 overpayment of 2005 taxes. (PID #S543-000-0030-1400).
- Q. Wells Fargo Real Estate Tax Services in the amount of \$2,779.60 overpayment of 2005 taxes. (PID #T213-999-0030-3800).
- R. Del Norte Title in the amount of \$3,893.54 overpayment of 2005 taxes. (PID #V857-999-0010-0100).
- S. Wells Fargo Real Estate Tax Services in the amount of \$2,987.20 overpayment of 2005 taxes. (PID #V893-999-1680-5900).
- T. Wells Fargo Real Estate Tax Services in the amount of \$3,319.74 overpayment of 2005 taxes. (PID #V893-999-4030-2300).
- U. Lone Star Title Co. in the amount of \$2,555.10 overpayment of 2004 taxes (PID #V893-999-573A-0600).
- V. Wells Fargo Tax Real Estate Services, LLC, in the amount of \$2,531.83 overpayment of 2005 taxes. (PID #V897-999-1000-2300).
- W. Arcelia Alcantar de Aguirre & Pedro G. Aguirre Olivas in the amount of \$7,186.45 overpayment of 2005 taxes. (PID #V897-999-1200-1100).
- X. CHI Southwest, LLC in the amount of \$9,822.67 overpayment of 2005 taxes. (PID #X008-999-000B-3600).
- Y. Cumming Property Tax Service in the amount of \$5,608.25 overpayment of 2005 taxes. (PID #X210-999-000A-0325).
- Z. Serenity Management Services of America, Inc. in the amount of \$2,770.69 overpayment of 2005 taxes. (PID #X213-999-0000-4536).
- AA. Serenity Management Services of America, Inc. in the amount of \$3,158.45 overpayment of 2005 taxes. (PID #Y805-999-0050-0720).

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 \*Motion made, seconded, and unanimously carried to **APPROVE** the request that the Director of the Financial Services Department be authorized to exercise the City's option to extend the term of the agreement for two (2) additional years, from March 16, 2007, to March 16, 2009, pursuant to the provisions of Contract 2004-072-C1, 2004-072-C2, & 2004-072-C3 with Border International Trucks, Inc. (C1), El Paso Texas, MHC Kenworth/Sterling /Ford (C2), El Paso, Texas, and Fleetpride (C3), El Paso, Texas, for auto brakes, pads, and hardware for heavy-duty equipment.

Option No.: ONE [OF ONE]  
 Amount of Award: \$180,000.00 (total for two-year extension)  
 (\$60,000.00 for each vendor)

Account No's: 37370510-503121-45202  
 Funding Source: Fleet Service Internal Service Fund  
 Department: General Services-Fleet Division

\*Motion made, seconded, and unanimously carried to **APPROVE** the request that the Director of the Financial Services Department be authorized to exercise the City's option to extend the term of the agreement for two (2) additional years, from April 23, 2007 to April 23, 2009, pursuant to the provisions of Contract 2004-099 with Main Auto Parts, El Paso, Texas, for auto parts, belts and hoses.

Option No.: ONE [OF ONE]  
Amount of award: \$50,000.00 (total for two-year extension)  
Account No's: 37370510-503121-45202  
Funding Source: Fleet Service Internal Service Fund  
Department: General Services-Fleet Division

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\*Motion made, seconded, and unanimously carried to **APPROVE** the request that the Director of the Financial Services Department be authorized to exercise the City's option to extend the term of the agreement for two (2) additional years, from April 23, 2007 to April 23, 2009, pursuant to the provisions of Contract 2004-100 with Main Auto Parts, El Paso, Texas, for auto parts, filters.

Option No.: ONE [OF ONE]  
Amount of Award: \$90,000.00 (total for two-year extension)  
Account No's: 37370510-503121-45202  
Funding Source: Fleet Service Internal Service Fund  
Department: General Services-Fleet Division

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\*Motion made, seconded, and unanimously carried to **APPROVE** the request that the Director of the Financial Services Department be authorized to exercise the City's option to extend the term of the agreement for two (2) additional years, from April 23, 2007 to April 23, 2009, pursuant to the provisions of Contract 2004-104-C1 and 2004-104-C2 with Main Auto Parts (C1), El Paso, Texas, and MHC Kenworth/Sterling/Ford (C2), El Paso, Texas, for bearings, seals, and related parts.

Option No.: ONE [OF ONE]  
Amount of Award: \$60,000.00 (total for two-year extension),  
(\$30,000.00 for each vendor)  
Account No's: 37370510-503121-45202  
Funding Source: Fleet Service Internal Service Fund  
Department: General Services-Fleet Division

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\*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No. 2006-105 Clint Landfill Netting for Litter Control (Furnish and Install)

Award to: Ace Golf Netting LP  
Austin, TX  
Item(s): 1  
Amount: \$59,500.00 Estimated  
Department: Environmental Services  
Funds available: 34010296-503200-40403  
Funding source: Solid Waste Management, Disposal operations,  
Building/Facilities Maintenance  
Total award: \$59,500.00 Estimated  
District (s): All

The Environmental Services and Financial Services Departments recommend award as indicated to the lowest responsive offer meeting specifications from responsible parties.

This is a fixed-price, single (one-time) purchase for the purchase and installation of netting for litter control at the Clint Landfill. There is an option to purchase up to one hundred percent (100%) of the original

contract quantities, at the same unit price, if the option is exercised within one year from the date of award of the contract. No prompt payment discount was offered.

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\*Motion made, seconded, and unanimously carried to **APPROVE** the request of Rodolfo Fierro-Stevens, M.D. to hold the "Ruta Del Mescalero" Bicycle Group Ride on May 6, 2006, from 5:00 a.m. to 6:00 a.m. Route: Start at Wal-Mart parking lot on Woodrow Bean/Transmountain, cross the street to Woodrow Bean/Transmountain, turn left on Woodrow Bean/Transmountain to Gateway Blvd North, turn right on Gateway Blvd North, proceed on the access road and finish at the Texas/New Mexico state line. Approximately 200+ persons and 30 vehicles will take part. PERMIT # 06-030 [Rodolfo Fierro-Stevens, M.D.]

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\*Motion made, seconded, and unanimously carried to **APPROVE** the request of Estela Bawol to block off Estrella between Paisano and Findley on April 23, 2006, from 4:00 p.m. to 7:00 p.m. for a matachines block party. Approximately 30 persons will take part and 35 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT # 06-032 [Adriana Sermeno]

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\*Motion made, seconded, and unanimously carried to **APPROVE** the request of Borderland Community Improvement Association to use amplification (1 microphone and 1 speaker) at Borderland Park, 6327 Modesta, on April 21, 2006, from 4:00 p.m. to 6:00 p.m. for a gathering. Approximately 25-75 persons will take part and 150-250 spectators are anticipated. PERMIT # 06-033 [Lucinda Cuellar]

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\*Motion made, seconded, and unanimously carried to **DELETE** the introduction of an ordinance authorizing the City Manager to sign a special warranty deed and any other documents necessary to properly convey Tract 9FC, Block 2, Ascarate Grant, an addition to the City of El Paso, El Paso County, Texas, including the improvements thereon, to Centro de Salud Familiar La Fe, Inc., a Texas non-profit corporation, for continued use as an HIV/AIDS facility in the City of El Paso.

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Motion made Representative Presi Ortega, Jr., seconded by Mayor Pro Tempore O'Rourke, and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance repealing Ordinance Number 16290, which changed the zoning of a portion of Tracts 181 and 183, Sunrise Acres, El Paso, El Paso County, Texas from R-4 (Residential) to C-2/C (Commercial/Condition) and imposing certain conditions, due to an incorrect legal description. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8625 Gateway South.
- B. An Ordinance changing the zoning of A portion of Tracts 181 and 182, Sunrise Acres, El Paso, El Paso County, Texas from R-4 (Residential) to C-2/C (Commercial/Condition) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8625 Gateway South. Applicant: Robert L. Martinez. ZON05-00139

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**NO ACTION WAS TAKEN** on the following item:

Discussion and action on proposed text revisions to Title 20 (Zoning) as recommended by the Building & Zoning Advisory Committee: Chapter 20.10 (Supplemental Use Regulations).

Mayor Cook and Representatives Presi Ortega, Jr., Byrd, Steve Ortega, O'Rourke, and Holguin commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager

2. Ms. Pat Adauto, Deputy City Manager, Development and Infrastructure Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Richard Schechter, citizen, commented.

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Schechter an additional minute to speak.

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**R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, section 271.114(b) of the Local Government Code requires that a governmental entity that is using the alternative project delivery methods, for selecting a contractor for the construction services of a facility, to publish in the request for proposals all the criteria that will be used to evaluate the offerors and the relative weights given to the criteria; and

**WHEREAS**, section 271.116(f) of the Local Government Code also requires that the governmental entity shall select the offeror that provides the best value for the governmental entity based on the published selection criteria and on its ranking evaluation; and

**WHEREAS**, the City of El Paso, by Resolution dated July 20, 2004, determined that the following criteria and the relative weights provide the best value to the City when entering into a contract for the construction of a facility;

- purchase price – which allows for a maximum of 65 points;
- offeror's past relationship with the City - maximum of 10 points;
- offeror's experience and qualifications - maximum 10 points;
- health insurance benefits the offeror provides to its employees where 60% or more of the cost must shall paid by the offeror/employer - maximum 5 points;
- prime contractor has a local project manager – maximum 5 points; and
- Local subcontractors shall work a total of 75% or more of the cumulative total of all subcontracting work – maximum 5 points.

**WHEREAS**, the City Council of the City of El Paso has determined that in the specific instance of the "El Paso Zoo Western Expansion Project", because of the complexity and need for specific expertise on this project, it is necessary to use different criteria and relative weights than the criteria approved in the July 20, 2004 Resolution;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO**

**THAT** the City of El Paso has determined that in the specific instance of the "El Paso Zoo Western Expansion Project" because of the complexity and need for specific expertise, that the following criteria and relative weights provides the best value to the City when entering into a contract for the construction of the Project and shall be published and used in the City's selection of a contractor for the construction of this Project:

- The purchase price – maximum 50 points;
- Relevant experience, and qualifications of offeror – maximum 40 points;
- City of El Paso Economic Development Enhancement: offeror has participation of local subcontractors and fabricators/suppliers – maximum 5 points; and
- Quality of Life Enhancement – Health Insurance: offeror provides to its employees' health Insurance Benefits where 60% or more of the cost is paid by the offeror/employer – maximum 5 points.

Mayor Cook and Representatives Presi Ortega, Jr. and Steve Ortega commented.

Ms. Carmen Arrieta-Candelaria, Financial Services, commented.

Motion made by Representative Lozano, seconded by Representative Byrd, and unanimously carried to **APPROVE** the above resolution.

AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
NAYS: None  
ABSENT: Representative Lilly

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Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, and unanimously carried to **AWARD** Best Value Procurement Solicitation No. 2006-079 Security Guard Services for Park Facilities

Award to: Texas Security  
El Paso, TX  
Item(s): All  
Amount: \$219,767.70 (estimated yearly)  
  
Department: Parks & Recreation  
Funds available: 51010279-16301-502212 & 51010214-01101-502212 & 51010280-16306-502212  
Funding source: General Funds & Users Fee  
Total award: \$659,303.10 (estimated)  
District (s): All

Parks & Recreation and Financial Services, Purchasing Division, recommend award as indicated, Texas Security offered the Best Value for this service.

This is a thirty-six month contract with no option to renew. Texas Security offers a 7% - 10 days, Prompt Payment Discount. Item #5 not awarded.

Mayor Pro Tempore O'Rourke was not present for the vote.

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Motion made by Representative Steve Ortega, seconded by Representative Presi Ortega, Jr., and unanimously carried to **AWARD** Best Value Procurement Solicitation No. 2006-082 Security Guard Services-Municipal Court

Award to: Initial Security  
El Paso, TX  
Item(s): All  
Amount: \$332,351.30  
  
Department: Municipal Court  
Funds available: 11150051-15438-502212  
Funding source: Operating Funds Security Contracts  
Total award: \$997,053.90  
District (s): 8

Municipal Court and Financial Services, Purchasing Division recommend award as indicated, Initial Security offered the Best Value for this service.

This is a thirty-six month contract with the option to renew for one additional year. Initial Security offers a 10% - 10 days, Prompt Payment Discount.

Mayor Pro Tempore O'Rourke was not present for the vote.

**ORDINANCE 16329**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 3C, SECTION 21, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM C-4 (COMMERCIAL) TO M-1 (LIGHT MANUFACTURING). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

Mr. Rudy Valdez, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Steve Ortega commented.

Motion duly made by Representative Castro, seconded by Representative Presi Ortega, Jr. that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
NAYS: None  
ABSENT: Representative Lilly

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

**ORDINANCE 16330**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 1A, NELLIE D. MUNDY SURVEY NO. 241, EL PASO, EL PASO COUNTY, TEXAS FROM M-1/SC (LIGHT MANUFACTURING/SPECIAL CONTRACT) TO R-3A/SC (RESIDENTIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

Mayor Pro Tempore O'Rourke commented.

Mr. Rudy Valdez, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Richard Schechter, citizen, commented.

Motion duly made by Mayor Pro Tempore O'Rourke, seconded by Representative Lozano, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
NAYS: None  
ABSENT: Representative Lilly

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

**ORDINANCE 16331**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 47, SINGH ADDITION, EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO R-5 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

Mr. Rudy Valdez, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Motion duly made by Representative Holguin, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

- AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke
- NAYS: None
- ABSENT: Representative Lilly

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....  
**ORDINANCE 16332**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NUMBER 15845, IN ORDER TO AMEND THE CONDITIONS CITED IN SAME ORDINANCE WHICH CHANGED THE ZONING OF PARCEL 1: A PORTION OF TRACT 44C, O.A. DANIELSON SURVEY NO. 310, EL PASO, EL PASO COUNTY, TEXAS, NOW KNOWN AS LOT 1, BLOCK 1, PLACITAS DE ZARAGOZA, EL PASO, EL PASO COUNTY, TEXAS, AND IMPOSED CERTAIN CONDITIONS.**

**1<sup>ST</sup> MOTION**

Motion made by Representative Holguin, seconded by Mayor Pro Tempore O'Rourke, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Charlie Vidales to speak.

Mayor Cook commented.

The following members of City staff commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Rudy Valdez, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Charlie Vidales, citizen, commented.

**2<sup>ND</sup> MOTION**

Motion duly made by Representative Holguin, seconded by Representative Lozano, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

- AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke
- NAYS: None
- ABSENT: Representative Lilly

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....  
**R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the City Manager be authorized to sign a Partial Release of Contract by and between the City of El Paso and Tropicana Homes Inc., successor in title and interest, releasing Conditions 1., 2., 3., and 5., described in the Contract dated August 15, 1987, on the property described as *Tract 1A, Nellie D. Mundy Survey No. 241, El Paso, El Paso County, Texas.*

Mayor Cook and Mayor Pro Tempore O'Rourke commented.

Mr. Rudy Valdez, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Richard Schechter, citizen, commented.

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lozano, and unanimously carried to **APPROVE** the above resolution.

AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
NAYS: None  
ABSENT: Representative Lilly

.....  
Motion made by Representative Byrd, seconded by Mayor Pro Tempore O'Rourke, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:34 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Workers' Compensation Subrogation Interest Regarding Richard Mata (551.071).
- EX2.** Discussion and action on matters related to AB Fall Mansion (551.071).
- EX3.** Discussion and action on matters related to El Paso Insights Science Museum (551.071).

Motion made by Representative Presi Ortega, Jr., seconded by Representative Byrd, and unanimously carried to **ADJOURN** the Executive Session at 8:58 a.m. and reconvene the meeting of the City Council, during which time motions were made.

.....  
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd, and unanimously carried that the City **SETTLE** its subrogation interest in the claim of Richard Mata , as recommended by the City Attorney, and that the City Manager and/or the City Attorney, or his designee, be authorized to execute any necessary documents to effectuate that authority.

AYES: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
NAYS: None  
ABSENT: Representative Lilly

.....  
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd, and carried that the CITY OF EL PASO **FINDS** as follows regarding a public need to acquire, through eminent domain or otherwise, land on which is located a historic building associated with historic events or personalities located at 1725 Arizona Avenue, El Paso, Texas 79902, commonly known as the A.B. Fall Mansion:

That the property and building located at 1725 Arizona Avenue, El Paso, Texas 79902, which is commonly known, and hereinafter referred to, as the "A.B. Fall Mansion," is located in El Paso County, Texas;

That the A.B. Fall Mansion is a historic building of historical significance because of its association with Albert B. Fall;

That the A.B. Fall Mansion is in a state of deterioration due to the neglect of its current owner;

That previous efforts by the City of El Paso to secure the current owner's action to halt the deterioration of the A.B. Fall Mansion have been unsuccessful; and

That the acquisition of the A.B. Fall Mansion by the City of El Paso is necessary to prevent the deterioration and/or destruction of the A.B. Fall Mansion; and

That the City Attorney and outside counsel are authorized to take any action to initiate eminent domain proceedings against the property.

AYES: Representatives Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke  
NAYS: Representatives Lozano and Holguin  
ABSTAIN: Representative Castro  
ABSENT: Representative Lilly

.....  
**NO ACTION WAS TAKEN** on the following item:

Discussion and action on matters related to El Paso Insights Science Museum (551.071).  
.....

**ADDITION TO THE AGENDA**

\*Motion made, seconded, and unanimously carried to **DELETE** the appointment of Miguel Teran, Jr. to the City Plan Commission by Representative Jose Alexandro Lozano, District 3

Representative Lozano commented.

Elaine Hengen, Assistant City Attorney, commented.  
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Motion made by Representative Presi Ortega, Jr., seconded by Representative Lozano, and unanimously carried to **ADJOURN** this meeting at 11:12 a.m.  
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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk